

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA	§	
	§	
v.	§	CRIMINAL NO. 4:12cr234 TH/DDB
	§	
JAMES LYNN TAYLOR	§	

**REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Pending before the Court is the request for revocation of Defendant's supervised release. After the District Court referred the matter to this Court for a report and recommendation, the Court conducted a hearing on June 3, 2015 to determine whether Defendant violated his supervised release. Defendant was represented by Robert Arrambide. The Government was represented by Tracey Batson.

On April 3, 2014, Defendant was sentenced by the Honorable Thad Heartfield, United States District Judge, to a sentence of 21 months imprisonment followed by a 3-year term of supervised release for the offense of Felon in Possession of a Firearm. Defendant began his term of supervision on December 23, 2014.

On April 28, 2015, the U.S. Probation Officer filed a Petition for Warrant or Summons for Offender under Supervision (the "Petition") (Dkt. 40). The Petition asserts that Defendant violated the following conditions of supervision: (1) Defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any paraphernalia related to any controlled substances, except as prescribed by a physician.

The Petition alleges that Defendant committed the following violations: (1) Defendant submitted urine specimens that tested positive for methamphetamine on February 3, 2015, March 2, 2015, April 2, 2015, April 6, 2015, and April 16, 2015.

At the hearing, Defendant entered a plea of true to the alleged violations. Defendant waived his right to allocute before the district judge and his right to object to the report and recommendation of this Court. The Court finds that Defendant has violated the terms of his supervised release.

RECOMMENDATION

Pursuant to the Sentencing Reform Act of 1984 and having considered the arguments presented at the June 3, 2015 hearing, the Court recommends that Defendant be committed to the custody of the Bureau of Prisons to be imprisoned for a term of thirteen (13) months, to run concurrently with any other sentences being served, and with no supervised release to follow. The Court further recommends that Defendant's term of imprisonment be carried out in FCI Texarkana, if appropriate.

SIGNED this 17th day of June, 2015.



DON D. BUSH
UNITED STATES MAGISTRATE JUDGE